

L. DAVID GRIFFIN
FRASER D. ROY
CARL T. REED
JESUS JUANÓS I TIMONEDA, Ph.D.
R. PARRISH FREEMAN, JR.
PETER F. MALLEN, JR.
ADRIAN J. LEE
DAVID B. TINGEY
L. REX SEARS, Ph.D.
ERIC M. KAMERATH
ROBERT E. AYCOCK
JENS C. JENKINS
KEVIN W. STINGER
WILLIAM J. ATHAY
WILLIAM R. RICHTER*

† ADMITTED ONLY IN CALIFORNIA
* ADMITTED ONLY IN PENNSYLVANIA

H. ROSS WORKMAN
OF COUNSEL

MAILING ADDRESS:
P.O. BOX 45862
SALT LAKE CITY, UT 84145

INTERNET

HOME PAGE: <http://www.wnspatent.com>
GENERAL E-MAIL: info@wnspatent.com

PATENT APPLICATION
Docket No. 13676.142

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Richard L. Bonkowski et al.

Serial No. 09/351,102

Filed: July 8, 1999

For: DIFFRACTIVE SURFACES WITH
COLOR SHIFTING BACKGROUNDS

Examiner: Alicia Chevalier

Commissioner for Patents
Washington, DC 20231

Art Unit
1772

TC 1700 MAIL ROOM

JUN -5 2001

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TRANSMITTAL FOR RESPONSE TO RESTRICTION REQUIREMENT

Sir:

Transmitted herewith is a Response to Restriction Requirement for entry in the above-identified application.

Small entity status of this application under 37 C.F.R. § 1.9 and § 1.27 has been established by a verified statement previously submitted.

x To render the transmitted Amendment timely filed enclosed are the following:

 x Petition for a One-Month Extension of Time; and

 x Credit Card Payment Form PTO-2038 authorizing payment of \$110.00 to cover the fee for the extension of time.

 x A Certificate of Express Mail 37 C.F.R. § 1.10.

 No other additional fee is required.

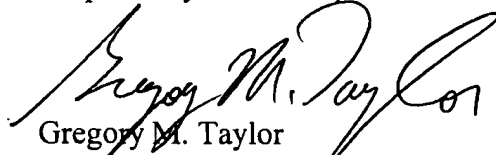
 x The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 23-3178. A duplicate copy of this transmittal letter is attached.

 x Any filing fees under 37 CFR 1.16 for the presentation of extra claims.

 x Any patent application processing fees under 37 CFR 1.17.

Dated this 30th day of May 2001.

Respectfully submitted,



Gregory M. Taylor
Attorney for Applicants
Registration No. 34,263

WORKMAN, NYDEGGER & SEELEY
1000 Eagle Gate Tower
60 East South Temple
Salt Lake City, Utah 84111
Telephone: (801) 533-9800
Facsimile: (801) 328-1707



Express Mail Label No. EL675131522US

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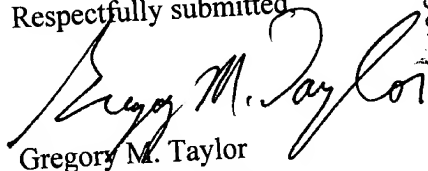
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CERTIFICATE OF MAILING BY EXPRESS MAIL

I hereby certify that the following documents are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231, on the 30th day of May 2001.

- Response to Restriction Requirement (3 pgs.)
- Transmittal for Response to Restriction Requirement (2 pgs.)
- Petition for Extension of Time (2 pgs.)
- Credit Card Payment Form PTO-2038 for \$110.00
- Postcard

Respectfully submitted,



Gregory M. Taylor
Attorney for Applicants
Registration No. 34,263

WORKMAN, NYDEGGER & SEELEY
1000 Eagle Gate Tower
60 East South Temple
Salt Lake City, Utah 84111
Telephone: (801) 533-9800

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Examiner:

Alicia Chevalier

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RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
Washington, D.C. 20231

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Sir:

Responsive to the communication mailed from the United States Patent and Trademark
Office on March 30, 2001, Applicants have the following comments.

The Examiner has indicated that restriction to one of the following invention groups is
required under 35 U.S.C. § 121:

- I. Claims 1-28 and 42-52, drawn to a security article; and
- II. Claims 29-41, drawn to a method of forming a security article.

Applicants hereby elect Group I, claims 1-28 and 42-52.

The Examiner has indicated that the application contains claims directed to the following patentably distinct species of the claimed invention in Group I related to the color shifting optical coating:

- A. polymeric layers – claims 5, 6, 9-22 and 42-52; and
- B. interference flakes dispersed in a polymeric medium – claims 7 and 23-28.

Applicants hereby elect species A for prosecution on the merits. Currently, claims 1-6, 8-22, and 42-52 read on species A.

The Examiner indicated that if species A is elected, then another species election is also required related to the color shifting optical coating placement:

- C. on the second surface of the substrate – claims 1-6 and 8-22; and
- D. on the first surface of the substrate – claims 42-52.

Applicants hereby elect species C for prosecution on the merits. Currently, claims 1-6 and 8-22 read on species C.

The Examiner indicated that if species A is elected, then a further species election is also required related to the dielectric layer in groups C and D:

Group C:

- E. index of refraction of about 1.65 or less – claims 12 and 13;
- F. organic material – claim 14;
- G. acrylates, perfluoroalkenes, PTFE, fluorinated ethylene propylene – claim 15;
- H. index of refraction greater than about 1.65 – claims 16 and 17;

Group D:

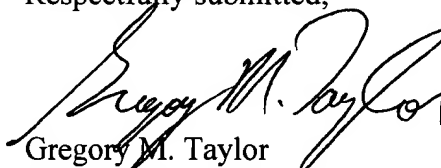
- I. oxides and fluorides – claim 46;
- J. organic material – claim 47; and
- K. oxides, carbides, and nitrides – claim 48.

Applicants hereby further elect species E for prosecution on the merits. Currently, claims 1-6, 8-13, and 18-22 read on species E.

In the event there remains any impediment to allowance of the claims which could be clarified in a telephone interview, the Examiner is respectfully requested to contact the undersigned attorney.

Dated this 30th day of May 2001.

Respectfully submitted,



Gregory M. Taylor
Attorney for Applicants
Registration No. 34,263

WORKMAN, NYDEGGER & SEELEY
1000 Eagle Gate Tower
60 East South Temple
Salt Lake City, Utah 84111
Telephone: (801) 533-9800
Fax: (801) 328-1707

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